

FILED

JUN 21 2018

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *cm* DEPUTY

UNITED STATES OF AMERICA
V.
WILLOWS CONSULTING COMPANY (6)

JUDGMENT IN A CRIMINAL CASE
(For Organizational Defendants)

Case Number: 15CR2821-BAS
THOMAS MESEREAU, SHARON APPELBAUM, AND
JOHN GORDON
Defendant Organization's Attorney

REGISTRATION NO.☐ -☐ pleaded guilty to count(s)

☒ was found guilty on count(s) 1, 2-16, 18-20, 23-36, AND 37-42 OF THE SUPERSEDING INDICTMENT
after a plea of not guilty.

Accordingly, the defendant is adjudged guilty of such count(s), which involve the following offense(s):

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Count Number(s)</u>
18 USC 1349	CONSPIRACY TO COMMIT HONEST SERVICES MAIL FRAUD	1
18 USC 1341, 1346 AND 2	HONEST SERVICES MAIL FRAUD AND AIDING AND ABETTING	2-16
18 USC 1343, 1346 AND 2	HONEST SERVICES WIRE FRAUD AND AIDING AND ABETTING	18-20
18 USC 1347 AND 2	HEALTH CARE FRAUD AND AIDING AND ABETTING	23-36
18 USC 1952(a)(1), (a)(2), AND 2	TRAVEL ACT AND AIDING AND ABETTING	37-42

The defendant organization is sentenced as provided in pages 2 through 4 of this judgment.
The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s)

☒ Count(s) 17, 21 & 22 dismissed on 12/6/17; 43 - 45 dismissed 11/27/17 on the motion of the United States.

☒ Assessment: \$15,600 (\$400 EACH COUNT)
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☒ See fine page ☐ Forfeiture pursuant to order filed _____, included herein.

IT IS ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States Attorney of any material change in the defendant's economic circumstances.

JUNE 18, 2018

Date of Imposition of Sentence

Cynthia Bashant
HON. CYNTHIA BASHANT
UNITED STATES DISTRICT JUDGE

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PROBATION

The defendant organization is hereby sentenced to probation for a term of:
FIVE (5) YEARS EACH COUNT TO RUN CONCURRENT TO EACH OTHER FOR A TOTAL OF FIVE (5) YEARS.

The defendant organization shall report to the probation office within 72 hours from the date of sentencing.

X The defendant organization shall not commit another Federal, state, or local crime.

X The defendant organization shall comply with the standard conditions that have been adopted by this court (set forth below).

If this judgment imposes a fine or a restitution obligation, it shall be a condition of probation that the defendant organization pay any such fine or restitution in accordance with the Schedule of Payments set forth in this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court. The defendant shall also comply with any special conditions imposed.

STANDARD CONDITIONS OF PROBATION

- 1) within thirty days from the date of this judgment, the defendant organization shall designate an official of the organization to act as the organization's representative and to be the primary contact with the probation officer;
- 2) the defendant organization shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 3) the defendant organization shall notify the probation officer ten days prior to any change in principal business or mailing address;
- 4) the defendant organization shall permit a probation officer to visit the organization at any of its operating business sites;
- 5) the defendant organization shall notify the probation officer within seventy-two hours of any criminal prosecution, major civil litigation, or administrative proceeding against the organization;
- 6) the defendant organization shall not dissolve, change its name, or change the name under which it does business unless this judgment and all criminal monetary penalties imposed by this court are either fully satisfied or are equally enforceable against the defendant's successors or assignees;
- 7) the defendant organization shall not waste, nor without permission of the probation officer, sell, assign, or transfer its assets.

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SPECIAL CONDITIONS OF PROBATION

1. Pursuant to 18 U.S.C. § 3561(a)(1), any sentence of probation shall include the condition that the organization not commit another federal, state, or local crime during the term of probation.
2. The organization shall notify the court or probation officer immediately upon learning of (a) any material adverse change in its business or financial condition or prospects, or (b) the commencement of any bankruptcy proceedings against the organization, or any investigation or formal inquiry by the governmental authorities regarding the organization.
3. The organization shall submit to: (A) a reasonable number of regular or unannounced examinations of its books and records at appropriate business premises by the probation officer or experts engaged by the court; and (B) interrogation of knowledgeable individuals within the organization. Compensation to and costs of any experts engaged by the court shall be paid by the organization.
4. The organization will notify the Asset Forfeiture Section, U.S. Attorney's Office, of any interest in property valued over \$5,000 obtained, directly or indirectly, including any interest obtained under any other name, or entity, including a trust, partnership or corporation until the forfeiture judgment is paid in full.
5. The organization will notify the Asset Forfeiture Section, U.S. Attorney's Office, before defendant transfers any interest in property valued over \$5,000 owned directly or indirectly by defendant, including any interest held or owned under any other name or entity, including trusts partnerships and/or corporations, until the forfeiture judgment is paid in full.

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FINE

The defendant shall pay a fine in the amount of \$500,000 unto the United States of America.

Pay a fine in the amount of \$500,000 through the Clerk, U. S. District Court. Payment of fine shall be forthwith. The defendant shall pay the fine during its probation at the rate of \$500 per month. These payment schedules do not foreclose the United States from exercising all legal actions, remedies, and process available to it to collect the fine judgment at any time.

This sum shall be paid ☒ Immediately.

The Court has determined that the defendant does have the ability to pay interest. It is ordered that:

☐ The interest requirement is waived